EXHIBIT 3

From:	owner-waagoogleteam@lists.susmangodfrey.com on behalf of Santacana, Eduardo E.
To:	Alex Frawley; FIREBASE-WFGE
Cc:	WAAGOOGLETEAM@LISTS.SUSMANGODFREY.COM
Subject:	Re: Rodriguez v. Google: Data Production
Date:	Wednesday, December 21, 2022 12:44:07 PM

<mark>EXTERNAL Email</mark>

Counsel,

This request is coming incredibly late in time. We will take reasonable steps to fulfill this request on a reasonable timeline, and we will keep your deadline for your opening expert reports in mind, but in all candor, this request should have been made a very long time ago and we are not sure why you waited so long to renew it after withdrawing it during the discovery period.

I also take issue with the characterization that "the parties have so far held off on starting our data production process." Our data production process is complete – we produced the data associated with your clients' device IDs a very long time ago. We did agree to consider this request in good faith once you were ready to make it, and we will. But it is effectively Jan. 2 at Google; everyone is out. So this is going to be tricky.

For now, please instruct your experts to send us the IDs in question. The two week period is too long given your opening report deadline. I suggest shortening to 5 days. Regardless, to get the data, Google has to filter for it prospectively, and the person who needs to do that is out until January 3, so sometime that week will have to be the first day we are able to collect.

Zwieback is a web identifier; we are not going to use that. User-agent strings are also web related, and we are not going to use that. This case has never dealt with either and we're not sure why it's in your proposal.

Finally, we will produce the deviceID-keyed and GAIA-keyed data. We will not produce scripts or anything like it, as we are under no obligation to do that, and they won't be understandable without more context, anyway.

Thanks,
Eduardo

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Pronouns: he, him, his

On December 8, 2022 at 5:25:43 AM HST, Alex Frawley <AFrawley@susmangodfrey.com> wrote:

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Counsel,

As discussed, the parties have so far held off on starting our data production process with the hope that the Court would provide guidance by resolving the parties' pending disputes, including disputes over logs and fields.

Given the current deadline for opening expert reports, without any rulings so far on Plaintiffs' request for an extension or the pending dispute letters, Plaintiffs believe that the parties should begin the data production process now for at least the logs that are indisputably in play.

To move this forward, here is Plaintiffs' proposal:

1. Plaintiffs provide Google with specific identifiers to be used by Google to collect and produce data to Plaintiffs, including 4 test GAIA IDs, 4 test user-agent strings, 4 test device IDs, 4 zwieback IDs, 20 test app instance IDs, and possibly a limited number of other identifying fields.

2. Google then searches for and on a rolling basis produces all data linked to or in any way associated with the specified identifiers for an agreed upon two-week period, limited (based on Google's current objections and without yet having any ruling from the Court on this scope issue) to the following logs that Google has already identified and admitted to be in scope:
   a. ████████████████████████████
   b. ████████████████████████████████
   c. ████████████████████
   d. ██████████████████████████ (GOOG-RDGZ-00182689)
   e. ████████████████████ (impressions and clicks) (Referenced in Google's Response to Interrogatory No. 17)

3. Google also produces all data linked to or associated with the GAIA IDs for the same two-week period. This way, Plaintiffs' experts can evaluate both the data from the logs identified above (in #2) and also the GAIA data.

4. Google provides scripts or other information sufficient to document the process by which Google ran those searches, for Plaintiffs' review.

Plaintiffs reserve the right to broaden this proposal depending on any rulings by the Court, which could result in Plaintiffs seeking to incorporate additional logs into this process and another search covering a new time period. Given the case schedule, Plaintiffs would like to move forward on the already identified logs.

Please let us know if Google agrees to the above process.

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